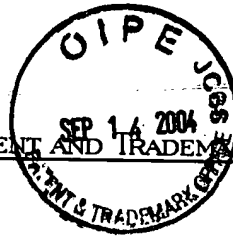




UNITED STATES PATENT AND TRADEMARK OFFICE



09-16-04 Page 1 of 2

DFW

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/815,888	03/31/2004	Nam T. Chao	DUQ-001 (DEP5289)

00959  
LAHIVE & COCKFIELD, LLP.  
28 STATE STREET  
BOSTON, MA 02109

CONFIRMATION NO. 9089

FORMALITIES LETTER



\*OC00000012934496\*

Date Mailed: 06/14/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/17/2004 MHEKONEN 00000046 120080 10815888

01 FC:1051 130.00 DA

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

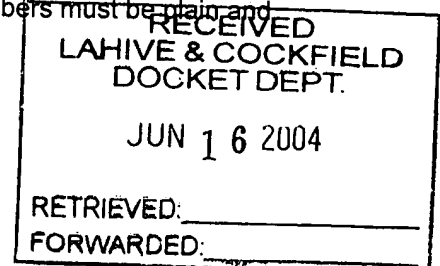
The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 5.
  - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1)); See Figure(s) 12.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity



- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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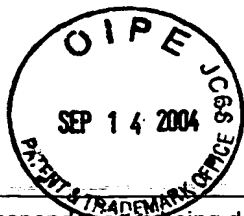
*A copy of this notice **MUST** be returned with the reply.*

*Frelia*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 419929218 US, in an envelope addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: September 14, 2004

Signature: \_\_\_\_\_

(Kevin J. Ganning)

Docket No.: DUQ-001(DEP5289)  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*In re* Patent Application of:  
Nam T. Chao *et al.*

Application No.: 10/815,888

Filed: March 31, 2004

For: INSTRUMENT FOR INSERTING,  
ADJUSTING AND REMOVING PEDICLE  
SCREWS AND OTHER ORTHOPEDIC  
IMPLANTS

Confirmation No.: 9089

Art Unit: 3643

Examiner: Not Yet Assigned

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed June 14, 2004, Applicant respectfully submits a Petition for a one month extension of time, an executed Combined Declaration and Power of Attorney, Formal Drawings (Figures 1-17C, 9 pages), and Part 2 Copy of Notice.

Please charge our Deposit Account No. 12-0080 in the amount of \$240.00 covering the extension of time and the fee set forth in 37 CFR 1.16(e), 1.17(a)(1). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have

Application No.: 10/815,888

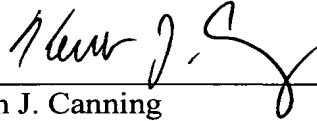
Docket No.: DUQ-001(DEP5289)

been filed herewith (or with any paper hereafter filed in this application by this firm) to our  
Deposit Account No. 12-0080, under Order No. DUQ-001.

Dated: September 14, 2004

Respectfully submitted,

By



Kevin J. Canning

Registration No.: 35,470

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